



OCT 25 2004

PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|------------------|
| Application Number | 09/586,981 |
| Filing Date | June 5, 2000 |
| First Named Inventor | MacDonald et al. |
| Group Art Unit | 3762 |
| Examiner Name | Leslie R. Deak |
| Attorney Docket Number | 320727.50201 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the Amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other: Preliminary Amendment
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other: Information Disclosure Statement, PTO Form 1449, and 2 references

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

- b. Other _____

3. Fees

- a. The Director is hereby authorized to charge the following fee to Deposit Account No. 50-1710

| | | |
|---|------------|----------------------------|
| i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) | 10/26/2004 | SDENB0B1 00000061 09586981 |
| ii. <input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) | | |
| iii. <input type="checkbox"/> Other _____ | 01 FC:2801 | 395.00 OP |
| | 02 FC:2255 | 1040.00 OP |
- b. Check in the amount of \$1,435.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Gilberto M. Villacorta, Ph.D. Sunit Talapatra, Ph.D. | Registration No. (Attorney/Agent) | 34,038 54,482 |
| Signature | | Date | October 25, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Alexandria, VA 22313-1450.

Form #161